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CODE #: 9606-2891  
TITLE: Jim Travis IV: Jim Gets The Call!

STATION: WCBS  
DATE: 06/16/96  
TIME: 1:12 PM



JIM TRAVIS: Jim Travis...! (BKGD MUSIC BEGINS) MALE ANNCR: So Jim



not only got the call without being chained to



the desk, he also got his SUPER: CELLULAR AVAILABLE IN CERTAIN AREAS.



cell phone, pager,



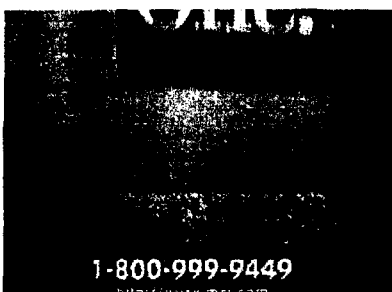
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**James K. Smith**  
Director  
Federal Relations

August 9, 1996

**RECEIVED**

**AUG 9 1996**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY**

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 222  
Washington, DC 20554

Re: **Ex Parte Statement**  
Ameritech Personal Access Service  
(PAS) CEI Plan

Dear Mr. Caton:

Ameritech submits the attached information concerning its PAS CEI Plan for the Commission's consideration. Ameritech urges the Commission to expeditiously approve the plan.

Sincerely,

Attachment

cc: D. Harper  
C. Leanza  
C. Pabo  
R. Welch



## **Additional Information on Ameritech's Personal Access Service (PAS)**

PAS is a unique service that allows subscribers to direct the handling of every call by interaction with both caller and subscriber supplied information. In effect, PAS provides the subscriber with an automated call management system.

### **PAS Call Processing : Incoming Calls**

Every call to a PAS subscriber is first answered by the PAS platform in order to collect caller-supplied information and to provide the caller with subscriber-generated announcements.

On incoming calls to the subscriber's PAS number, the PAS platform answers the call and:

- plays the subscriber's customized greeting;<sup>1</sup>
- "listens" to the answered call to determine if the call is a voice call or was originated by a fax machine;<sup>2</sup>
- "listens" to the answered call to see if the caller is entering digits by pressing keys on the telephone dial pad. The platform determines whether these digits identify a subscriber's administrative PIN number - denoting an administrative session,<sup>3</sup> - or whether the digits identify a priority password -- denoting a special caller who is allowed to bypass call screening capabilities.

If the incoming call is not originated by a fax machine, a priority caller, or the PAS subscriber the PAS platform then:

- "speaks" to the caller and prompts the caller to enter a name for later playback to the subscriber;

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<sup>1</sup> The PAS subscriber's customized greeting options are similar to those of any voice mail system and would allow, for example, businesses to advertise products, services, etc. during the customized greeting.

<sup>2</sup> PAS provides two fax options. The first option is a fax mailbox capability internal to the platform that routes incoming faxes to the fax mailbox within the PAS platform for later retrieval by the subscriber. Under the second option -- sometimes called fax deflection -- the PAS platform determines that the incoming call is a fax, retrieves the subscriber's fax machine number from pre-stored information and makes a second call to the subscriber's fax machine and then bridges the two calls.

<sup>3</sup> Administrative sessions allow the PAS subscriber to change PAS parameters, retrieve stored internal voice mail and fax messages, and return calls if desired. During these sessions, the subscriber is notified if new calls to the PAS number come in and is given the opportunity to take these calls immediately.

- captures the incoming Caller ID and then stores it for later "spoken " playback to the subscriber.

If the PAS subscriber wants to be reached via pager, the PAS platform:

- "speaks" to the caller to ascertain whether the calling number or a different number should be entered on the subscriber's pager. PAS then "listens" for the caller to enter a choice. If the caller wishes to be called back at a different number, PAS "speaks" to the caller prompting for the number and "listens" for the caller to enter the alternate number.

On every incoming call to a subscriber's PAS number, a regular call is established.<sup>4</sup> A basic transmission path is established; but, it's not between the caller and the PAS subscriber, it's between the caller and the PAS platform. After the caller has finished interacting with the PAS platform, the platform plays music to the caller while the subscriber is being located and continues to "listen" for additional entered digits denoting that the caller does not wish to wait but rather wishes to be immediately sent to default treatment<sup>5</sup>.

Acting in its role as a call management system, the PAS platform then uses the caller-supplied information along with pre-stored subscriber-supplied instructions to decide what to do next. The call could either be given any one of a number of override treatments<sup>6</sup> which could include immediate default to voice mail<sup>7</sup>, or the PAS platform could begin searching for the subscriber.

If the PAS platform determines that a search is needed, then a search strategy is chosen based on both pre-stored subscriber-supplied instructions<sup>8</sup> and caller-

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<sup>4</sup> When the call is answered by the PAS platform, regular billing is started from the caller's central office to the central office the PAS platform is connected to. The caller only pays normal tariffed charges to reach to the PAS platform. The PAS subscriber ultimately pays for all other charges generated by outgoing calls from the PAS platform.

<sup>5</sup> Default treatments include alternate number (e.g., an answering service), voice mail, and pager notification.

<sup>6</sup> Other override treatments include temporarily forwarding all calls to a single number or meet-me paging.

<sup>7</sup> The subscriber has a choice of either internal voice mail in the PAS platform or external voice mail. Internal voice mail allows the subscriber to administer voice mail, PAS schedules and options by placing one call to the PAS platform. External voice mail allows the subscriber to maintain pre-existing voice mail capability. Ameritech's existing business and residence voice mail service is not integrated with PAS and is considered external to the PAS platform. Other provider's voice mail is treated in the same manner.

<sup>8</sup> Examples of pre-stored subscriber instructions are customized greetings, time of day/day of week lists of telephone numbers to call, whether outgoing calls from PAS should be made sequentially or simultaneously, and identification of the subscriber's PIN for PIN call acceptance.

supplied information from the initial call from the caller to the PAS platform. The PAS platform begins initiating separate calls to find the subscriber.

### PAS Call Processing : Outgoing Calls

When an outgoing call from the PAS platform is answered, the platform doesn't blindly and automatically bridge the first call -- from the caller to the PAS platform -- with whoever answers any of the calls made from the PAS platform. Instead, the PAS platform, after initiating the outgoing calls, begins a series of interactions with the persons at the end of each answered, outgoing call<sup>9</sup>.

When outgoing calls from the PAS platform are answered, the PAS platform:

- announces to the answering party that a call is holding for <insert subscriber's name>;
- "speaks" to the called party and prompts for entry of the subscriber's security PIN number; then "listens" for the called party to enter the PIN digits and checks them for validity;
- announces that the call is from <insert caller's spoken name> based on pre-recorded information collected from the caller;
- announces that the call is from <insert caller's spoken Caller ID>; and
- "listens" for the called party to enter digits thereby determining whether to accept the call or to send the call to default treatment<sup>10</sup>.

Again, there are regular calls -- basic transmission paths -- established here, but they are not between caller and subscriber, they are between the PAS platform and whoever answers the outgoing calls made to locate the subscriber.

After these interactions, the PAS platform determines whether to bridge the first call to one of the second series of calls. This decision is based on pre-stored subscriber instructions, just-stored caller-supplied information, and real-time interaction

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<sup>9</sup> Based on subscriber instructions, these calls will occur either sequentially or simultaneously. When any of the outgoing calls from the PAS platform are answered, regular billing begins. Intra-LATA calls are charged to the PAS platform and become a "cost of business" to Ameritech to be recovered by charges to the PAS subscriber. Inter-LATA calls are directly billed to the PAS subscriber by the interexchange carrier chosen upon subscribing to the PAS service.

<sup>10</sup> Most call screening options are interactive with the PAS subscriber. However, the PAS subscriber has the option of sending certain calls to default treatment automatically based on Caller ID information.

between the PAS platform and parties answering the calls made to locate the subscriber.

Parallels between PAS and basic call routing services -- such as Automatic Route Selection (ARS) or 800 Service -- quickly break down when examined. Unlike PAS, these services route calls based on dialed digits and pre-stored routing tables. The call is never answered by the call processing platform and the platform does not interact with the caller or called party over separate, open transmission paths to determine how to connect the calling and called parties.

While call routing occurs in PAS, it is incidental to the prime function of a real-time call control service. PAS call routing is not based merely on dialed digits and pre-stored routing tables. Instead, it is based on the dynamic flow of information -- over two separate, answered, open transmission paths -- one between the caller and the PAS platform and the other between the subscriber and the PAS platform. In addition, the way the PAS uses both the pre-stored information and the information collected on a per-call basis is unique. The PAS platform does not make decisions based on pre-stored information and then make separate decisions based on per-call information. Instead, the per-call information is interwoven with the pre-stored information to make all routing decisions. This inherent interaction with caller and subscriber information over separate calls differentiates PAS from any basic routing service available today. There is no practical way to separate these functions and then reintegrate them to provide the same service PAS does today.

#### Approval of the PAS CEI Plan is warranted

PAS furthers the Commission's goal of promoting the availability of new services to the public. It provides the public with unique capabilities for managing diverse communications needs. PAS subscribers can manage all of their call processing needs in real time in one environment -- the PAS platform -- with one phone call.

Ameritech has purchased this enhanced application from an outside vendor. The platform interfaces are standard, disclosed, tariffed telecommunications interfaces which comply with the Commission's CEI requirements. The vendor of the PAS equipment markets this integrated application (hardware and software) both domestically and internationally. Any one can obtain this product and can connect it with the telecommunications network in the same fashion as Ameritech.

Ameritech has purchased and installed the PAS platform based on its understanding of the Commission's rules that the specific service application, as described above, constitutes an enhanced service. Arguments have been advanced suggesting that, because the application contains routing functionality, PAS is both a basic and an enhanced service. It is argued that a basic routing service should be unbundled from PAS and offered separately as a basic service under tariff. Such a position would result in an overly rigid interpretation of Commission policy given the specific facts of this service. Ameritech is not aware of any Commission

pronouncement suggesting that routing functionality may only be associated with a basic service. Ameritech urges the Commission to not now so conclude in the narrow and limited context and specifics of this service.

Obviously routing functionality is an essential component of the service, but when PAS is viewed in its totality, it is certainly an enhanced service -- if for no other reason than no one would argue that it could be tarified as a basic service. PAS is an integrated application the design of which is under the control of the vendor, not Ameritech. Forcing PAS to be disaggregated into various piece parts would unquestionably have the effect of denying the public new and useful services for two reasons:

First, it is technically infeasible to separate the PAS routing functions from all of the obviously enhanced features. Even if one could theoretically disable enhanced functionality, it would result in a revised PAS service that only meets some of the customer's needs, which is self defeating and negates the viability of the service.

Second, because the vendor has little incentive to totally redesign its product, Ameritech would be precluded from offering this service.

PAS is a unique service precisely because it is a self-contained, integrated package which is flexible enough to meet all of a subscriber's communication management needs.

Acceptance of arguments that PAS routing functionality should be unbundled because it constitutes a basic service would necessitate an overly rigid construction of the Commission's rules and would set a bad precedent. As Ameritech stated in its March 29, 1996 Ex Parte:

"Of course, the logical result of creating such a 'micro-unbundling' approach would be to require new CEI interfaces at both ends of each piece of wire inside the PAS platform, since each would represent a 'transmission path over which the telephone call may be completed'. The Commission's rules do not require this result, nor have they ever been interpreted to do so."

PAS does not diminish the Commission's basic/enhanced dichotomy. From the previous discussion, it is clear that PAS is an enhanced call management service with caller and subscriber interaction on every call. Far from offering a basic transmission path that is transparent in terms of customer supplied information, PAS uses customer supplied information on every call. Even if the internal voice mail and fax store and forward capabilities were not available in PAS, the constant interaction with caller and subscriber puts PAS in the category of an interactive voice response application as opposed to a basic routing service.

Moreover, concerns that granting the CEI plan could have potential adverse precedent setting effects are unwarranted. PAS is a stand alone service. As designed by its manufacturers, PAS connects to the regulated network with only the underlying basic services as set forth in the PAS CEI Plan.

The PAS platform does not use the advanced intelligent network (AIN) and it does not connect to a service control point (SCP) or otherwise serve as an adjunct processor. If the PAS platform were to be connected to AIN, it would require the creation of a new network interface as well as the creation of a new tariffed service to offer the particular AIN interconnection capabilities involved.

The PAS platform does not provide local number portability or raise concerns that callers to the PAS platform would unexpectedly incur toll charges. Finally, while it is beyond Ameritech's ability -- due to hardware and software integration -- to unbundle the capabilities of the PAS platform designed by and purchased from an outside vendor, Ameritech does intend to make all of the capabilities of PAS available to other providers.

The FCC has historically looked at the totality of the service and the circumstances surrounding the specific offering in deciding the basic and enhanced nature of a given service. PAS is a subscriber controlled call management system for every call placed to a PAS subscriber. It fully complies with Commission safeguards, including CEI safeguards, described in the original PAS CEI Plan filed September 1, 1995, as supplemented by various follow up ex partes. Ameritech urges the Commission to approve this CEI plan.



## **Options for the FCC to Consider on PAS CEI Plan**

This paper summarizes various options the FCC might consider on Ameritech's Personal Access Service (PAS) Comparably Efficient Interconnection (CEI) plan. Each option will list key determinations, precedents in the rules and action required to implement.

### **Option Summary**

I) Find PAS does not constitute a basic service, accept the Ameritech Plan as filed and reject MCI's position.

Option 1: Find PAS does not constitute a basic service, accept the Ameritech Plan as filed and reject MCI's position.

II) Find PAS to be primarily an enhanced call management service with routing functionality.

Option 2: Find that the routing functionality is minimal and isn't sufficient to trigger CI-2 and CI-3 requirements.

Option 3: Find that the routing functionality does trigger CI-2 and CI-3 requirements, but grant a waiver of those requirements.

III) Find PAS to be primarily a basic call routing service with enhanced voicemail and fax store and forward functionality.

Option 4: Grant a waiver of CEI interface (physical unbundling) but require separate accounting treatment for basic and enhanced components (accounting safeguards).

## Option Detail

**Option 1: Find PAS does not constitute a basic service, accept the Ameritech Plan as filed and reject MCI's position.**

### - Key Determination:

The functionality described in the PAS CEI plan does not constitute a basic service.

### - Precedents for this interpretation

1) The Computer II Final Decision (4/7/80) 77 FCC 2d at 420 defines basic services as those that provide "pure transmission capability over a communications path that is virtually transparent in terms of its interaction with customer-supplied data". Also "In the provision of a basic transmission service, memory or storage within the network is used only to facilitate the transmission of the information from the origination to its destination, and the carrier's basic transmission network is not used as an information storage system. Thus, in a basic service, once information is given to the communication facility, its progress towards the destination is subject to only those delays caused by congestion within the network or transmission priorities given by the originator."

Ameritech has argued that the routing functionality in PAS is not a basic service because of the multiple transmission paths, and interaction with both caller and subscriber information.

2) The NATA / Centrex Order (5/9/1985) 101 FCC 2d 349, 1985 FCC Lexis 3256, \*24-27 defined adjunct services which might fall within the literal definition of an enhanced service but were clearly basic in purpose. This order set forth two tests to determine whether a service should be classified as an adjunct.

The first test is the significance of purpose test. If the capability serves but one purpose "facilitating the establishment of a transmission path over which a telephone call may be completed" (para. 26) then it passes the first test. If the capability exceeds this single purpose it fails the test.

Ameritech has argued that PAS exceeds the capability since it allows real time call control to complete the call or to allow the subscriber to route it to a default.

The second test to determine whether a capability is an adjunct is that it "does not alter the fundamental character of telephone service." (para. 27) "Allowing a subscriber to reroute calls to another number does not materially change the nature of a telephone call placed to that subscriber. The result of the re-routing is that, if the telephone to which the call is routed is picked up, the customer obtain an open transmission channel between their telephones."

Although PAS may appear to operate this way, Ameritech has argued it doesn't. The caller first reaches the PAS platform and interacts with it to supply information. Then the PAS platform makes a separate call into the network and interacts with the subscriber to collect information at which point the calls may be bridged or the caller may be sent to default treatment.

Ameritech has concluded based on the above precedents that the routing functionality of PAS is neither basic nor adjunct to basic therefore it must be enhanced.

- Action Required

- 1) FCC determines the functionality described in the PAS CEI plan does not constitute a basic service.
- 2) FCC writes an order approving PAS CEI plan as is.

**Option 2: Find that the routing functionality is minimal and isn't sufficient to trigger CI-2 and CI-3 requirements.**

**- Key Determination**

The routing functionality in PAS is minimal, and, because of the way the service is configured, is not enhanced. Therefore, it is insufficient to trigger CI-2 and CI-3 unbundling, tariffing and CEI requirements.

**- Precedents for this interpretation**

1) The Bell Atlantic Telephone Companies offer of Comparably Efficient Interconnection to Providers of Gateway Services DA 88-12-1512 Memorandum Opinion and Order 3 FCC Rcd 6045 - In 1988 Bell Atlantic proposed to offer Gateway Services that would included a packet assembler-disassembler (PAD) that would "add certain signalling for transmission to a centrally located gateway processor" (para. 3) The ANPA urged the Commission to require Bell Atlantic to meet basic service requirements for the PAD and specifically "to show how it will comply with the requirement to make available standardized hardware and software interfaces to support the transmission, switching, and signalling functions of the PAD." (para. 22).

The Commission rejected ANPA's arguments concluding "Because gateway service is enhanced, the PADs that Bell Atlantic proposes to use exclusively for gateway service are unregulated equipment. Thus, Bell Atlantic has a nondiscrimination obligation for the basic services that, for example, connect its gateway PADs to the network, but not for the PADs themselves. Moreover, Bell Atlantic has clarified that similar PADs are competitively available and that competitors will be able to connect their PADs to Bell Atlantic's central offices through standard technical interfaces. Accordingly, the Plan satisfies this parameter." (para. 12)

In this specific instance the FCC decided that it made sense to treat the PAD functionality as enhanced. The parallel with PAS is that the routing functionality of PAS exists only to support the PAS enhanced service. In addition, the manufacturer has configured the PAS platform as a single, integrated unit to meet demand of multiple service providers. Because of these facts, an appropriate CEI interface has been drawn at the boundary of the platform.

This view is supported by the fact that many enhanced services include routing functionalities which might arguably be classed as basic. For example, today every BOC allows intraLATA voicemailbox-to-

voicemailbox messaging. This could be argued to be a switching and routing function, however, it is not separated from any of the approved voicemail CEI plans on the record.

- Action Required

1) FCC determines that the routing functionality in PAS is minimal, and, because of the way the service is configured, is not enhanced. Therefore, it is insufficient to trigger CI-2 and CI-3 unbundling, tariffing and CEI requirements.

2) FCC writes an order approving PAS CEI plan but with findings in (1) above and conditioned on the way the service is presently configured.

**Option 3: Find that the routing functionality does trigger CI-2 and CI-3 requirements, but grant a waiver of those requirements.**

**- Key Determination**

The routing functionality in PAS is not enhanced and it is sufficient to trigger CI-2 and CI-3 requirements, but a waiver of those requirements is justified.

**- Precedents**

None

**- Action Required**

1) FCC determines the routing functionality in PAS is not enhanced and it is sufficient to trigger CI-2 and CI-3 unbundling, tariffing and CEI requirements, but grants a waiver of those requirements. Waivers would need to be granted for unbundling of basic service, tariffing requirements, and CEI requirements.

**Option 4: Grant a waiver of CEI interface (physical unbundling) but require separate accounting treatment for basic and enhanced components (accounting safeguards).**

- Key Determination

There is basic routing functionality in PAS but a waiver of CEI interface (physical unbundling) is warranted.

- Precedents for this interpretation

1) Various Reverse Search CEI Waiver requests:

Memorandum Opinion and Order on Reconsideration of US West CEI Waiver Order, plus BellSouth Petition for Waiver and Southwestern Bell Petition for Waiver (7/3/96) CC Docket 90-623

BellSouth CEI Order (4/29/96) CC Docket 90-623

US West CEI Waiver Order (11/6/95) CC Docket 90-623

2) ATT SPECS Phone CEI Waiver Order (8/24/93) DA 93-1042

3) Various CEI Waiver Orders on Account Code Billing

(e.g.,) South Central Bell Account Code Billing CEI Waiver Order (5/26/92) DA 92-657

4) AT&T Dial IT 900 CEI Waiver Order (10/2/89) DA 89-1284

5) Various CEI Waiver Orders on protocol conversion

Ameritech has stated that it is infeasible to separate the routing functionality from the other functionality of PAS and still have a workable service. Ameritech has further stated that it has purchased the PAS platform from an outside vendor who has little incentive to redesign their product. Because of the way the PAS platform is configured, and because PAS and similar platforms are available to other service providers (Ameritech has demonstrated that other service providers are providing full-featured single number services), there is sufficient justification to waive the CEI interface requirements.

- Action Required

- 1) FCC determines there is basic routing functionality in PAS but a waiver of CEI interface (physical unbundling) is warranted.
- 2) FCC determines there is sufficient information on the record to grant this waiver and does so sua sponte or; Ameritech files a letter with the FCC requesting processing of the CEI plan with wording included that if the FCC determines that the routing functionality is basic that the FCC would grant Ameritech a waiver of CEI interface.
- 3) Ameritech tariffs the basic functionality of PAS, and separately accounts for the voicemail and fax store and forward functionality under Part 64 rules.